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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Edward M. Housel

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EXAMINER

NOLAN JR, CHARLES H

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 03/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary****Application**

09/694,734

**Applicant(s)**

HOUSEL ET AL.

**Examiner**

Charles H Nolan, Jr.

**Art Unit**

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 11. 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2,6-8,14-16,19-20,26-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Kodak Imagesource 70cp Copier-Printer Operator's Guide (part No. 3C8571) published 09/1995,(hereinafter "Kodak").

With respect to Claims 1-2,6,15-16,27-28, Kodak teaches the at least input source (media cassettes) on page 1-1, the at least two output destinations (offset media hopper and stapler hopper) on page 1-1 along with the destination function on page 1-35 @ "Output Hopper" recitation, the user interface (control panel) on page 1-3 and the CPU(RIP functions as CPU as taught on page G-9) on page 1-2. It is noted that the selection of the destination (output hopper) is performed by the user on the "Copy Special Features" menu. With respect to the multiple destinations of different sheets of a multiple sheet print job in Claims 7,14,19, 26-28, Kodak teaches on page 1-35 that the user may select the destination of pages in the print job. Accordingly, the functionality of Kodak's invention allows for great user flexibility in determining the specific output destination of the print job. Additionally, the Examiner points to page 4-1 of Kodak where it is taught that "Job programming allows you to set up **different sets of features for individual pages** within a set." (Emphasis added). With respect to Claims 8,20, Kodak teaches the jam indicator on page 10-2 and 10-3 (F1, F2, I7, etc).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3,22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kodak Imagesource 70cp Copier-Printer Operator's Guide (part No. 3C8571) published 09/1995,(hereinafter "Kodak").

With respect to Claim 3, Kodak teaches the use of printed or unprinted tabs on page 2-16 that may be placed in a paper cassette or a finisher tray and that there are three input dispensers on page 1-1. Kodak teaches all the claim limitations except that the second dispenser contains media of different colors. However, it would have been obvious to one of ordinary skill in the art to use any color print media so as to satisfy an individual user's taste. With respect to Claims 10,22, Kodak teaches all the claim limitations except for the third output destination. However, it would have been obvious to one of ordinary skill in the art to use as many output destinations as desired based on Kodak so as to increase printer throughput.

5. Claims 4-5,9,11-12,17-18,21,23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kodak in view of Miyake et al. (5,640,232).

With respect to Claims 4-5,11-12,17-18,23-24, Kodak teaches all the claim limitations except for the page identifier, print indicator associated with a particular output destination, feed count and running count. Miyake teaches the page identifier (page

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number), page indicator (upper limit on the number of pages that can be printed to a particular output destination) in figures 15 A-B and the Abstract and whether printing is allowed on page of the output set in figure 22. Further, Miyake teaches the feed count and running counts in figures 14B, 15A-B, 19 and 20-23. The motivation to combine the references is that each invention has the same endeavor of making multiple sets of copied print jobs. It would have been obvious to one of ordinary skill in the art to incorporate the page identifier and page indicator of Miyake into the invention of Kodak so as to assist the operator in classifying sheets belonging to a particular mode as taught by Miyake in column 1, lines 35-42. With respect to Claims 9 and 21, Kodak teaches the selection of a specific input source and destination pages 1-1 and 1-35. Kodak teaches all the claim limitations except for the page identifier of the print job. Miyake teaches the page identifier (page number) in figures 15 A-B and the Abstract. The motivation to combine the references is that each invention has the same endeavor of making multiple sets of copied print jobs. It would have been obvious to one of ordinary skill in the art to incorporate the page identifier of Miyake into the invention of Kodak so as to assist the operator in classifying sheets belonging to a particular mode as taught by Miyake in column 1, lines 35-42.

***Allowable Subject Matter***


Claims 13 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The total combination of Claim 13 or 25 is not taught and/or rendered obvious by the prior art of record when considering the equations recited..

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-12 and 14-24 and 26-28 have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles H Nolan, Jr. whose telephone number is 703-308-0961. The examiner can normally be reached on Monday through Thursday 8:00 AM to 6:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 703-305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-5841 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
Charles H Nolan, Jr.  
Examiner  
Art Unit 2854

CHN  
March 21, 2003